

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

CHRISTOPHER WILLIAMS and
SHELEITHE WILLIAMS

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:06CV592-HTW-LRA

PATRICK V. MCGEE, HOMECOMINGS
FINANCIAL NETWORK, INC.; RICHARD M.
LINGLE, PLLC; AMSTAR; PREMIER
MORTGAGE; JP MORGAN CHASE BANK;
and JOHN DOES 1 - 10

DEFENDANTS

AGREED FINAL JUDGMENT OF DISMISSAL WITH PREJUDICE

CAME BEFORE THE COURT FOR HEARING the joint motion *ore tenus* of Plaintiffs Christopher Williams and Sheleithe Williams (“Plaintiffs”) and Defendants/Counter-Plaintiffs Homecomings Financial, LLC, formerly known as Homecomings Financial Network, Inc. (“Homecomings”) and Bank of New York Trust Company, N.A., successor to JP Morgan Chase Bank, N.A. (the “Trustee”) (collectively, “Homecomings”) seeking the entry of an **Agreed Final Judgment of Dismissal with Prejudice** resolving the claims at issue between them in this matter. The Court, having considered the matter and finding all interested parties in agreement, finds that the motion is well taken and should be granted. Thus, the Court

FINDS that this case arises from a mortgage loan transaction related to real property located at 325 Kingsbridge Road, Madison, Mississippi 39110 (the “Subject

Property"). The Court further

FINDS that Homecomings, through the Trustee, previously foreclosed on the subject property on September 8, 2006. The Court further

FINDS that Homecomings, through the Trustee, previously obtained an Order and Judgment for Possession of the Subject Property entered on November 17, 2006, which provided that Homecomings' substitute trustee, the Trustee, was the "rightful owner in fee simple with full rights of possession" of the Subject Property. Based on these findings, it is, therefore,

ORDERED AND ADJUDGED that any and all claims brought by Plaintiffs against Homecomings and the Trustee in this civil action shall be, and hereby are, DISMISSED WITH PREJUDICE with each party to bear its respective costs, fees and expenses. It is further,

ORDERED AND ADJUDGED that Homecomings and the Trustee are entitled to judgment on their counterclaim against Plaintiffs for breach of contract and possession of the Subject Property. It is further,

ORDERED AND ADJUDGED that Homecomings and the Trustee are entitled to immediate possession of the Subject Property. Pursuant to the agreement of the parties, the Plaintiffs have agreed to peacefully vacate the premises on or about August 15, 2009.

ORDERED AND ADJUDGED that this is a Final Judgment within the meaning of the Federal Rules of Civil Procedure and that any appeal of this Order must be brought within the time provided by law from the date of entry of same.

SO ORDERED AND ADJUGED, this the 29th day of July, 2009.

S/ HENRY T. WINGATE

CHIEF UNITED STATES DISTRICT JUDGE

SUBMITTED BY:

s/ H. Curtis Crowley

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ATTORNEY FOR PLAINTIFFS
CHRISTOPHER AND SHELEITHE WILLIAMS

s/ P. Ryan Beckett

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Agreed Final Judgment of Dismissal with Prejudice